

THIS ORDER IS
APPROVED.



1 **TIFFANY & BOSCO**
2

3 **2525 EAST CAMELBACK ROAD**
4 **SUITE 300**
5 **PHOENIX, ARIZONA 85016**
6 **TELEPHONE: (602) 255-6000**
7 **FACSIMILE: (602) 255-0192**

Dated: November 05, 2009

James M. Marlar
JAMES M. MARLAR

Chief Bankruptcy Judge

6 Mark S. Bosco
7 State Bar No. 010167
Leonard J. McDonald
8 State Bar No. 014228
Attorneys for Movant

9 09-23287/0059339796

10 **IN THE UNITED STATES BANKRUPTCY COURT**
11 **FOR THE DISTRICT OF ARIZONA**

12 IN RE:

13 No. 4:09-bk-21229-JMM

14 Jamie G. Lynch and Kristin E. Bergen-Lynch
15 Debtors.

Chapter 7

16 Wells Fargo Bank, N.A.
17 Movant,

ORDER

vs.

(Related to Docket #8)

18 Jamie G. Lynch and Kristin E. Bergen-Lynch,
19 Debtors, Stanley J. Kartchner, Trustee.

20 Respondents.

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22 Movant's Motion for Relief from the Automatic Stay and Notice along with the form of proposed
23 Order Lifting Stay, having been duly served upon Respondents, Respondents' counsel and Trustee, if any,
24 and no objection having been received, and good cause appearing therefore,

25 IT IS HEREBY ORDERED that all stays and injunctions, including the automatic stays imposed

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1 by U.S. Bankruptcy Code 362(a) are hereby vacated as to Movant with respect to that certain real
2 property which is the subject of a Deed of Trust dated September 22, 2005 and recorded in the office of
3 the Pima County Recorder wherein Wells Fargo Bank, N.A. is the current beneficiary and Jamie G.
4 Lynch and Kristin E. Bergen-Lynch have an interest in, further described as:

5 LOT 393, OF RANCHO AGUA DULCE, AS SHOWN BY MAP RECORDED IN BOOK 52
6 OF MAPS AND PLATS AT PAGE 71, PIMA COUNTY, ARIZONA, RECORDED IN BOOK
52 OF MAPS, PAGE 71.

7 IT IS FURTHER ORDERED that Movant may contact the Debtor(s) by telephone or written
8 correspondence regarding a potential Forbearance Agreement, Loan Modification, Refinance
9 Agreement, or other Loan Workout/Loss Mitigation Agreement, and may enter into such agreement
10 with Debtors. However, Movant may not enforce, or threaten to enforce, any personal liability against
11 Debtors if Debtors' personal liability is discharged in this bankruptcy case.

12 IT IS FURTHER ORDERED that this Order shall remain in effect in any bankruptcy chapter
13 to which the Debtor may convert.

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15 DATED this ____ day of _____, 2009.
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18 JUDGE OF THE U.S. BANKRUPTCY COURT
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